

### **REMARKS**

In view of the following remarks, reevaluation and further processing of the application is requested. Prior to amendment herewith, Claims 1-24 were pending in the application. By amendment herewith, Claims 1, 4-7, 9, and 20 have been amended, Claims 8, 12-19 and 22-24 have been cancelled, and new Claims 25-28 have been added. Thus, Claims 1-7, 9-11, 20-21 and 25-27 are now pending in the application.

#### **Claim Amendments**

Applicant has amended Claims 1, 9 and 20 to add the limitation that the thiol-ene composition have 0.02% by weight of a photoinitiator or less. This amendment is supported by the examples in the specification such as in paragraph [0063] among other places.

Applicant has amended claims 4-7 so that the claims no longer depend from a multiple dependent claim.

Applicant has added new claims 25-28, support for which can be found in paragraph [0037] among other places in the specification.

#### **Claim Objections**

The Examiner objected to claims 4-8, 12-19 and 22-24. The objected to claims have either been amended to place into an unobjectionable form or canceled.

#### **Claim Rejections under 35 USC 102**

The Examiner rejected claims 1-3 and 9-11 as being anticipated by Lutz et al (4,816,497). Applicant respectfully traverses this rejection in light of the amendments made herein.

With respect to Claims 1 and 9, Lutz does not teach or disclose a preceramic silazane polymer having little or no or less (0.02% or less by weight) as now claimed. Lutz teaches that a minimum amount of photoinitiator is necessary for the system to be photopolymerized. See, Lutz, col 8, lines 60 - 66. Furthermore, Lutz indicates that a preferable amount of photoinitiator is between 2.0% and 5.0% and Lutz's examples teach either 2.0% (Example 1) or 4.0% (Examples 2-8) of photoinitiator. Lutz provides no evidence or support for any

lower amount of photoinitiator. Therefore, Lutz does not anticipate the composition of Claims 1 and 9 as amended.

With respect to new Claim 27 and 28, Lutz specifically teaches that a photoinitiator is a required component of the taught composition. See col. 3 line 64 to col. 4, line 32. Lutz further states that Lutz's composition must contain sufficient photoinitiator to photoinitiate the composition. Therefore, Lutz does not anticipate the composition as claimed in Claims 27 and 28.

For the aforementioned reasons, Lutz does not teach or show all the limitations of Claims 1 or 9. Therefore, Applicant respectfully requests that the Examiner find independent Claims 1 and 9 and the claims that depend from them, specifically Claims 2-7, 10-11, 27 and 28, to be patentable over Lutz.

#### **Claim Rejections under 35 USC 103(a)**

The Examiner rejected claims 20-21 as being unpatentable over Liew et al., in the article "Fabrication of SiCN MEMS by Photopolymerization of Pre-Ceramic Polymer" in view of Lutz et al (4,816,497).

Applicant herein submits a Declaration under 1.131 by Dr. Bowman, one of the co-inventors of the application, that the invention as claimed was conceived and reduced to practice prior to the publication date of the Liew reference, which is January 1, 2002. Therefore, the Liew reference is not prior art to the present application.

In addition, as discussed above, Lutz does not teach or disclose a photopolymerizable preceramic polymer composition with no more than 0.02% by weight photoinitiator as claimed in Claim 25. Furthermore, Lutz does not teach or disclose a photopolymerizable preceramic polymer composition with no photoinitiator as claimed in Claim 26.

Therefore, Applicant respectfully requests that the Examiner find independent Claim 20 as amended and its dependent claims 21, 25 and 26 in a condition of allowance.

#### **Conclusion**

In light of the above amendments and remarks, Applicant respectfully submits that all pending claims are in condition for allowance, and such action is respectfully requested. If the Examiner believes that it would be helpful to discuss any of the amendments or remarks

presented herein, the Examiner is invited to contact the undersigned at the telephone number provided.

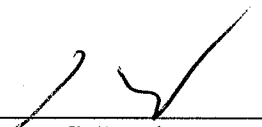
It is not believed that any additional fees are due in connection with this response. However, any necessary fees may be charged to Deposit Account No. 50-2775.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Date: \_\_\_\_\_

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